

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Criminal No. 99-86 (3) (RHK/AJB)

Plaintiff,

ORDER

v.

Christopher St. Aubyn Headley,

Defendant.

Defendant has moved for a sentence reduction based on the retroactive crack cocaine guidelines amendment. He is now serving a 120 month sentence based on a plea of guilty to a drug-trafficking conspiracy offense. A ten-year mandatory minimum sentence was required by 21 U.S.C. § 841(b)(1)(A) as imposed by the Court. His guidelines range has not changed due to the effect of the mandatory minimum sentence.

See United States v. Johnson, 517 F.3d 1020, 1024 (8th Cir. 2008); U.S. Sentencing Guidelines Manual § 5G1.1(b) (2004).

Based on the foregoing, Defendant's Application for Sentence Adjustment (Doc. No. 162) is **DENIED**.

Dated: July 2, 2008

s/Richard H. Kyle

RICHARD H. KYLE

United States District Judge